

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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STANLEY KAROL,

Plaintiff,

-against-

CITY OF NEW YORK, KENNETH K.
WONG, Badge No. 8, EDUARDO CAUTELA,
Badge No. 2903, ROBERT P. CANONICA,
Badge No. 195, and MICHAEL J. GILLEN,
Badge No. 905,

Defendants.
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**REPLY DECLARATION OF
KAREN B. SELVIN
IN SUPPORT OF
DEFENDANTS'
MOTION TO DISMISS**

18 CV 6467 (JGK)

(filed by ECF)

KAREN B. SELVIN declares, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, attorney for Defendants in the instant action.

2. I submit this reply declaration in further support of Defendants' motion for an order and judgment dismissing the First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), together with such other and further relief as the Court may deem just and proper, and to place true and accurate copies of relevant documents in the record.

3. Attached as Exhibit "A" is an excerpt of the "Preliminary Mayor's Management Report" published in February 2018. The full report is publicly available at https://www1.nyc.gov/assets/operations/downloads/pdf/pmmr2018/2018_pmmr.pdf (last accessed October 16, 2018).

4. Attached as Exhibit "B" is an excerpt of the "Mayor's Management Report" published in September 2018. The full report is publicly available at https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2018/2018_mmr.pdf (last accessed October 16, 2018).

5. Attached collectively as Exhibit “C” are certified copies of print-outs of records of the New York City Department of Buildings’ “Building Information Search” website (“BISWEB”), detailing “311” complaints about illegal transient uses at different locations made on June 23, 2018, June 28, 2018, and July 1, 2018, and their subsequent investigations. These documents are publicly available at <http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?complaintno=3655000&go6=+GO+&requestid=0> (last accessed October 16, 2018), <http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?complaintno=3655694&go6=+GO+&requestid=0> (last accessed October 16, 2018), and <http://a810-bisweb.nyc.gov/bisweb/OverviewForComplaintServlet?complaintno=3656058&go6=+GO+&requestid=0> (last accessed October 16, 2018).

Dated: New York, New York
October 16, 2018

/s/ Karen B. Selvin
Karen B. Selvin (KS-3816)
Assistant Corporation Counsel